UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,155	01/22/2002	William P. Darbie	10011309-1	5337

7590 11/21/2005	EXAMINER
AGILENT TECHNOLOGIES, INC.	NGUYEN, MAIKHANH

Legal Department, DL429	ART UNIT	PAPER NUMBER

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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 August 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-41</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-41</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed 08/29/2005 to the

original application filed 01/22/2002.

2.   Claims 1-41 are currently pending in this application. Claims 1, 13-14, 19, 22, 26, 29, 33-

34, and 36 have been amended. Claims 1, 14, 19, 26, and 33 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if
the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would
have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-41 maintain rejected under 35 U.S.C. 103(a) as being unpatentable over **Young**

et al. (U.S. 6,185,560 – filed 04/1998, as cited by Applicant's IDS filed 01/22/2002) in

view of **Sotomayor** (U.S. 5,708,825 – filed 05/26/1995).

As to claim 1

a.   Young teaches a method for navigating summarized textual data *(Abstract)*,

comprising:

(i)   receiving a portion of text *(Abstract & col.3, lines 30-32)*;

        (ii)   comparing the data with the portion of text to identify a match *(col.3, lines 45-47)*;

        (iii)   generating an entry responsive to the match *(Abstract & col.3, lines 35-38)*; and

        (iii)   inserting the entry in a data summary *(Abstract)*.

b.   Young does not explicitly teach:

        (i)   adding the data summary to the hypertext markup language format representation of the data;

        (ii)   transforming data from a text format to a hypertext markup language format and associating the entry with the contents of the transformed data responsible for the match.

c.   Sotomayor teaches:

        (i)   adding the data summary to the hypertext markup language format representation of the data *(Abstract)*;

        (ii)   transforming data from a text format to a hypertext markup language format and associating the entry with the contents of the transformed data responsible for the match *(col.11, line 60-col.12, line 9)*.

d.   It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Sotomayor in the system of Young because it would have provided the capability for automatically generating homepages containing various types of index information and the associated hyperlinks to other information located on the Internet and the Web.

As to claim 2

Young teaches reading a string of text from a data storage device *(col.3, lines 16-20)*.

As to claim 3

Young teaches reading a string of text from an input device *(col.4, lines 40-45)*.

As to claim 4

Young teaches concatenating a string of text to the data responsible for the match to a label *(e.g., concatenation ...TEXT fields; col.12, line 64-col.13, line 46)*.

As to claim 5

Young teaches the label is reflective of a level of importance *(col.6, lines 56-64)*.

As to claim 6

Young teaches the level of importance is indicated via a color *(col.10, lines 20-33)*.

As to claim 7

Young teaches the level of importance is indicated via a label *(col.1, lines 23-27)*.

As to claim 8

Young teaches the string of text includes language indicative of a condition requiring correction *(col.8, lines 1-27)*.

As to claim 9

Young teaches adding a pointer indicative of the location of the string of text within the data *(Abstract & col.3, lines 4-6)*.

As to claim 10

a.   Sotomayor teaches the pointer comprises a hypertext markup language link *(col.4, lines 22-34)*.

b.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to include the feature from Sotomayor in the system of

Young because it would have provided the capability for automatically generating

homepages containing various types of index information and the associated

hyperlinks to other information located on the Internet and the Web.

As to claim 11

Young teaches changing a characteristic of both the data and the entry in the data

summary *(col.14, lines 35-46)*.

As to claim 12

Young teaches the characteristic is selected from the group consisting of color, font, font

size, bold text, italicized text, and underlined text *(col.9, lines 47-58)*.

As to claim 13

Young teaches adding an alphanumeric to the data and the entry in the data summary

(col.8, lines 9-27).

<u>As to claim 14</u>

It is directed to a system for performing the method of claim 1, and is similarly rejected

under the same rationale. Additionally, Young further teaches means for compiling a

static on the match *(col.15, lines 56-64)*.

As to claim 15

Young teaches reporting the statistic *(col.15, lines 56-64)*.

As to claim 16

a.   Sotomayor teaches applying a hypertext markup language link between the statistic and an instance of the string in the match *(col.11, lines 19-34)*.

b.   It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Sotomayor in the system of Young because it would have provided the capability for automatically generating homepages containing various types of index information and the associated hyperlinks to other information located on the Internet and the Web.

As to claim 17

Young teaches comparing receives a previously stored string *(col.15, lines 21-47)*.

As to claim 18

Young teaches comparing receives a string via an input device *(col.4, lines 39-55)*.

As to claim 19

It is directed to a computer-readable medium for implementing the method of claim 1 above, and is rejected along the same rationale. Additionally, Young further teaches:

(i)   locate a text string within the text data *(col.2, lines 3-19)*;

(ii)   log located text strings, wherein each occurrence of a particular text string is associated with an indicator *(col.8, lines 35-48)*;

(iii) register a respective label in a text data summary *(col.5, lines 1-8 and Fig.2)*; and

(iv)   associate a particular label with occurrences of the particular text string located within the text data *(col.5, lines 9-27)*.

As to claim 20

Young teaches log located text strings records a number of occurrences of the particular text string *(col.8, lines 35-48).*

As to claim 21

Young teaches register a respective label concatenates the number of occurrences of the particular text string to the label to generate a summary entry *(col.13, lines 1-46).*

As to claim 22

Young teaches associate a particular label adds a link *(Abstract).*

As to claim 23

It incorporates substantially similar subject matter as in claim 11 above, and is rejected along the same rationale.

As to claim 24

It incorporates substantially similar subject matter as in claim 13 above, and is rejected along the same rationale.

As to claim 25

Refer to discussion of claim 10 for rejection.

As to claim 26

It is directed to a computer system for performing the method of claim 1 above, and is rejected along the same rationale. Additionally, Young further teaches a processor *(21; Fig.1)*; an execution memory *(22; Fig.1)*, a text enhancer application *(col.4, lines 46-50)*, a query engine *(Fig.3C)*, a content reporting engine *(Fig.3A)*; and a data indexing engine *(Fig.3B).*

As to claim 27

Young teaches the query engine is configured to locate a match between a previously

stored text string and the text data *(col.2, lines 15-32)*.

As to claim 28

Young teaches the query engine is configured to locate a match between a user entered

text string and the text data *(col.14, lines 15-47)*.

As to claim 29

Young teaches a formatting engine configured to insert an entry in a data summary

responsive to a number of occurrences of the match *(col.8, lines 36-48)*.

As to claim 30

It incorporates substantially similar subject matter as in claim 11, and is rejected along

the same rationale.

As to claim 31

It incorporates substantially similar subject matter as in claim 13 above, and is rejected

along the same rationale.

As to claim 32

a.   Sotomayor teaches the formatting engine is configured to insert a hypertext

        markup language link between the text data and the entry *(Abstract and col.4,*

        lines 22-43).

b.   It would have been obvious to one of ordinary skill in the art at the time of the

        invention was made to include the feature from Sotomayor in the system of

        Young because it would have provided the capability for automatically generating

homepages containing various types of index information and the associated

hyperlinks to other information located on the Internet and the Web.

As to claim 33

a.   The rejection of claim 1 above is incorporated herein in full. Additionally, Young

further teaches:

(ii)   associating a summary label with the text string *(col.1, lines 39-41)*;

(iii)   accessing a text file containing a plurality of lines of textual information

(col.3, lines 45-46);

(iv)   determining if each of the plurality of lines contains the text string,

wherein when a line of textual information contains the text string, the line

of textual information is added to the summary label to generate a

summary line in the report *(col.7, line 64-col.8, line 34)*;

(vi)   accessing the text file containing a plurality of lines of textual information

(col.3, lines 45-46);

(vii)   determining if each of the plurality of lines contains the text string,

wherein when a line of textual information does not contain the text string

(col.14, lines 16-64), and concatenated to the summary line in the report

and when a line of textual information does contain the text string, that

associates the line of textual information to the summary line, the line of

textual information containing the text string appended to the report

(col.12, line 64-col.13, line 30).

b.   Young does not explicitly teach "the line of textual information is translated to an

        HTML format."

c.   Sotomayor teaches the line of textual information is translated to an HTML

        format *(col.11, line 60- col.12, line 9)*.

d.   It would have been obvious to one of ordinary skill in the art at the time of the

        invention was made to include the feature from Sotomayor in the system of

        Young because it would have provided a more usable document which can be

        viewed by a document viewer program such a word-processor program or a web

        browser program.

As to claim 34

a.   Sotomayor teaches inserting an hypertext markup language file header *(col.19,*

        lines 34-60).

b.   It would have been obvious to one of ordinary skill in the art at the time of the

        invention was made to include the feature from Sotomayor in the system of

        Young because it would have provided the capability for automatically generating

        homepages containing various types of index information and the associated

        hyperlinks to other information located on the Internet and the Web.

As to claim 35

a.   Sotomayor teaches the HTML file header is inserted before the summary lines in

        the report *(col.19, line 61-col.20, line 7)*.

b.   It would have been obvious to one of ordinary skill in the art at the time of the

        invention was made to include the feature from Sotomayor in the system of

Young because it would have provided the capability for automatically generating

homepages containing various types of index information and the associated

hyperlinks to other information located on the Internet and the Web.

As to claim 36

a.   Sotomayor teaches inserting an hypertext markup language file footer *(col.20,*

lines 39-64).

b.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to include the feature from Sotomayor in the system of

Young because it would have provided the capability for automatically generating

homepages containing various types of index information and the associated

hyperlinks to other information located on the Internet and the Web.

As to claim 37

a.   Sotomayor teaches the HTML file footer is inserted after the plurality of lines

have been appended to the report *(col.20, line 65-col.21, line 19).*

b.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to include the feature from Sotomayor in the system of

Young because it would have provided the capability for automatically generating

homepages containing various types of index information and the associated

hyperlinks to other information located on the Internet and the Web.

As to claims 38-40

They incorporate substantially similar subject matter as in claims 2-4 above, and are

rejected along the same rationale.

As to claim 41

a.   Sotomayor teaches a link *(col.4, lines 22-34)*.

b.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to include the feature from Sotomayor in the system of

Young because it would have provided the capability for automatically generating

homepages containing various types of index information and the associated

hyperlinks to other information located on the Internet and the Web.

Response to Arguments

5.   Applicant's arguments filed 08/29/2005 have been fully considered but they are not

persuasive.

Applicant argues that *Young does not teach the creation of a summary that is added to a*

hypertext markup language format representation of the data. (Remarks, page 12)

In response, the limitation *"a summary that is added to a hypertext markup language*

format representation of the data" is not previously claimed. Sotomayor is combined

with Young to teach embeds hyperlinks from these summary pages to the locations where

key topic appear in the presentation pages (See the Abstract).

Applicant argues that *Young does not teach a formatting engine configured to insert a*

data summary before transformed text data in the hypertext markup language. (Remarks,

page 17)

In response, Young's teachings "automatically creates tables listing for each text line in

the report, the species which the text line best matches, links entries in the list based on

relationships specified in the virtual table, then utilizes the linked list to generate virtual

records in response to user-generated queries" (the Abstract) meets the limitations as

claimed.

Applicant argues *that the combination of Young and Sotomayor fails to teach a method*

for navigating between summary information and textual data in a report. (Remarks,

page 19)

In response to applicant's arguments, the recitation "*navigating between summary*

information and textual data in a report" has not been given patentable weight because

the recitation occurs in the preamble. A preamble is generally not accorded any

patentable weight where it merely recites the purpose of a process or the intended use of a

structure, and where the body of the claim does not depend on the preamble for

completeness but, instead, the process steps or structural limitations are able to stand

alone. See In re Hirao, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and Kropa v. Robie, 187

F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Applicant argues that *the cited portion of Young is silent regarding when a line of text*

information contains the text string, the line is translated to a HTML format with HTML

code that associates the line of textual information to the summary line, the line of textual

information containing the text string appended to the report. (Remarks, page 20)

In response, the rejection above shows how the combination of Young and Sotomayor meet the claim limitations.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barg et al.   U.S. Publication 2002/0070953 A1   Pub. Date: Jun. 13, 2002

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

MN

WILLIAM BASHORE
PRIMARY EXAMINER
11/2/2005